

Exhibit 2
Filed Under Seal

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SONOS, INC.,
Plaintiff,
vs. Case No. 3:21-CV-07559-WHA
GOOGLE LLC,
Defendant.

-AND-

GOOGLE LLC,

Plaintiff,

Case No. 3:20-CV-06754-WHA

SONOS, INC.

Defendant.

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

SOURCE CODE CONFIDENTIAL

ZOOM DEPOSITION OF SONOS 30(b)(6) & INDIVIDUALLY
NICK MILLINGTON

(Reported Remotely via Video & Web Videoconference)

Santa Barbara, California (Deponent's location)

Wednesday, June 29, 2022

STENOGRAPHICALLY REPORTED BY:

REBECCA L. ROMANO, RPR, CSR, CCR

California CSR No. 12546

Nevada CCR No. 827

Oregon CSR No. 20-0466

Washington CCR No. 3491

JOB NO. 5304920

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1 that term because it's a silly joke internal term. 03:50:20	1 MS. BRODY: Objection to form. And 03:53:42
2 But from the user's perspective, what 03:50:20	2 outside the scope. 03:53:42
3 they experience is robust persistent playback 03:50:20	3 THE DEPONENT: The -- the form of your 03:53:42
4 where, you know, the phone isn't, you know, a 03:50:20	4 question sort of implies that the queue exists 03:53:42
5 critical participant in the ongoing playback of 03:50:20	5 somewhere else and then is -- is downloaded. And 03:53:42
6 tracks. 03:50:20	6 that's -- that's not how I would -- how I would -- 03:53:42
7 And in many ways, you know, that -- 03:50:20	7 how I would characterize the -- the -- the 03:53:42
8 that -- that overall experience is one of the 03:50:20	8 operation. 03:53:42
9 reasons what -- what -- what a Sonos experience is 03:50:20	9 Like I was saying before, the -- 03:54:10
10 all about, right? 03:50:20	10 you know, the -- the -- from the user's 03:54:10
11 Q. (By Mr. Kaplan) Are you familiar with 03:50:20	11 perspective, the queue is a -- is a property of 03:54:10
12 SMAPI, S-M-A-P-I? 03:50:20	12 the -- kind of the, you know, the -- the Sonos 03:54:10
13 A. I -- I am at a high level. It's 03:51:13	13 group coordinator and its -- and its group members. 03:54:10
14 something that is evolved, you know, no doubt 03:51:13	14 And the user is adding, removing, reordering tracks 03:54:10
15 unrecognizably, since the time that I 03:51:13	15 in that -- in that queue. 03:54:13
16 was intimately involved with it. But, yes, I am 03:51:13	16 And so that -- that -- that's how -- 03:54:13
17 familiar with it. 03:51:13	17 that -- that -- that experience is still available 03:54:13
18 Q. Was SMAPI the API that was used to 03:51:31	18 to this day in the Sonos products. 03:54:13
19 deliver the full set of queued tracks to the Sonos 03:51:31	19 Q. (By Mr. Kaplan) When we were looking at 03:54:13
20 player? 03:51:31	20 the Sonos iPad controller app, a user on that app 03:54:49
21 MS. BRODY: Objection. Outside the 03:51:31	21 was seeing a queue of music that he or she wanted 03:54:49
22 scope. Objection to form. 03:51:31	22 to play, and that would be replicated at the 03:54:49
23 THE DEPONENT: SMAPI stands for -- stands 03:51:31	23 player, right? 03:54:49
24 for Sonos Music API. And SMAPI was a -- or is a -- 03:51:31	24 A. It's -- it's actually the -- the 03:55:11
25 I believe a protocol that Sonos evangelizes to 03:51:53	25 opposite, that the Sonos controller is viewing the 03:55:11
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1 music services companies. 03:52:03	1 contents of the -- of the queue on the player. 03:55:17
2 And if music service companies implement 03:52:03	2 Q. Is the Sonos controller app storing the 03:55:17
3 SMAPI then, fundamentally, inside the Sonos app, 03:52:03	3 information of the queue at the player either 03:55:17
4 they can appear as a music service, like we were 03:52:03	4 persistently or not persistently? 03:55:17
5 seeing in the iPad app. And, you know, you can 03:52:19	5 MS. BRODY: Objection to form. 03:55:38
6 browse the content and search the content on the 03:52:19	6 THE DEPONENT: To -- to -- to paint its 03:55:38
7 service using the Sonos app. 03:52:19	7 UI, the controller needs to have some view into the 03:55:38
8 And then you can also -- if you implement 03:52:37	8 contents of that queue that's on the player. But 03:55:38
9 SMAPI, then Sonos players can access and play 03:52:37	9 it -- it doesn't necessarily have a complete copy. 03:55:38
10 your -- your -- your content. So -- so that's -- 03:52:37	10 And even if -- like if you scroll away in the list, 03:56:03
11 that's what -- that's what SMAPI -- SMAPI is. 03:52:37	11 then, you know, it's ephemeral and gone. 03:56:03
12 I -- I wouldn't say that there's like a 03:52:37	12 Q. (By Mr. Kaplan) So you wouldn't consider 03:56:03
13 one-to-one mapping between SMAPI and the beer test 03:52:37	13 that the music queue, right? 03:56:03
14 or even between SMAPI and showing up in the Sonos 03:52:37	14 MS. BRODY: Objection to form. Outside 03:56:21
15 app. There's other ways of implementing that. 03:52:54	15 the scope. 03:56:21
16 Q. (By Mr. Kaplan) So for the 03:52:54	16 THE DEPONENT: I mean, it's -- it's -- 03:56:41
17 implementation that you mentioned where the queue 03:52:54	17 you know, the -- the -- the questions are super 03:56:41
18 is downloaded and stored at the device -- and when 03:52:54	18 context dependent, you know. The -- I mean -- I 03:56:41
19 I say "device," I mean player. Maybe I should just 03:52:54	19 mean, it's a -- it's a -- it's a list of songs 03:56:41
20 say player. 03:53:27	20 labeled queue on a screen. And so from the -- from 03:56:41
21 I'll -- I'll ask again. 03:53:27	21 the user's perspective, you know, it is a -- it is 03:56:41
22 In the implementation you mentioned where 03:53:27	22 a queue for sure, you know -- you know. 03:56:41
23 the queue from the mobile device is downloaded and 03:53:27	23 I mean, it's -- the -- the -- the 03:56:41
24 stored at the player, is that implementation still 03:53:27	24 question's -- the question's almost unanswerable. 03:56:41
25 used by Sonos? 03:53:27	25 I mean, you know, there's -- there's some people 03:57:00
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1 MS. BRODY: Objection to form. And 2 outside the scope.	04:34:00	1 bending my head, trying to figure out how to look 2 at it in this app. Maybe I'll have to download it 3 to my --	04:38:09
3 THE DEONENT: Let -- let me -- let me -- 4 let me answer it this way.		4 Q. I -- I do have a rotate all pages button 5 on my -- if you hover over sort of the bottom of 6 the -- of the PDF page.	04:38:16
5 If the -- if the phone and the Sonos 6 player are not on the same network and can only 7 communicate through the cloud, then the -- the 8 cloud is a helpful way to facilitate communication 9 between them.	04:34:11	7 A. I think I have the document open.	
10 And that's basically what you're saying, 11 right?	04:34:29	8 MS. BRODY: Mr. Kaplan, I don't know if 9 this is intentional, but this document doesn't have 10 the Bates sticker on the front consistent with your 11 other documents.	04:38:34
12 Q. (By Mr. Kaplan) With respect to the play 13 to Sonos integration, Sonos worked to do that with 14 Google Play Music, did Sonos work to do a play to 15 Sonos collaboration with any other companies?	04:35:34	12 THE DEONENT: It does --	
16 MS. BRODY: Objection. Outside the 17 scope.		13 MR. KAPLAN: 1114 doesn't?	
18 THE DEONENT: Play to Sonos is an 19 umbrella term that we used at Sonos to refer to the 20 concept of, again, using a nonSonos app and having 21 the sound come out of Sonos speakers.	04:35:51	14 THE DEONENT: It's at the bottom right.	
22 So that -- that conceptually was -- was, 23 you know, kind of -- kind of what we were -- what 24 we were going for, right. And so we -- we doggedly 25 pursued that concept with a -- a number of	04:36:23	15 MR. KAPLAN: I see a Bates stamp 16 SONOS-SVG2-00026255.	04:38:46
Page 194		17 MS. BRODY: The deposition exhibit 18 sticker. Excuse me.	
		19 MR. KAPLAN: And there's a deposition -- 20 deposition exhibit sticker 1114.	04:38:58
		21 MS. BRODY: Okay. It's not showing up on 22 my -- my copy. It's -- it's not relevant. I just 23 wanted to let you know in the event that you wanted 24 it to be consistent.	
		25 Go ahead, please.	04:39:09
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1 different companies, you know.	04:36:32	1 MR. KAPLAN: Got it.	04:39:11
2 For -- for example, you know, the --		2 Q. (By Mr. Kaplan) Mr. Millington, do you 3 see the exhibit sticker on there?	
3 the -- the -- the so-called Spotify connect feature 4 that we support with Spotify is an incarnation of 5 that concept. Similarly, the -- you know, the work 6 that we did with -- with -- you know, we -- we've 7 done that concept with Pandora.	04:36:49	4 A. Yeah. It's -- it's in the bottom right.	
8 So -- so in short, the answer is, yes, 9 that's a -- that's a concept that we had a lot of		5 It's kind of a yellow rectangle -- right? -- that	04:39:23
10 conviction about from the very early period -- very 11 early point in the company's history, and we've 12 doggedly pursued it with a bunch of different 13 companies.	04:37:10	6 says 1114. And then there's two like overlapping 7 SONOS-SVG2-00026255.	
14 (Exhibit 1114 was marked for 15 identification by the court reporter and is 16 attached hereto.)	04:37:25	8 Q. That was how it was produced to us.	
17 MR. KAPLAN: Could you open up 18 Exhibit 114, please.		9 Okay. Well, so this is an email chain.	
19 MS. BRODY: Mr. Kaplan, you said 114?		10 At the top of the chain is an email from	04:39:41
20 MR. KAPLAN: Oh, I meant 1114. I was 21 only off by 1,000.	04:37:47	11 Joni Hoadley to Ted Coburn and a few other folks at	
22 Q. (By Mr. Kaplan) Please let me know when 23 you have it up.		12 Sonos.	
24 A. Yeah, I have it. But it's sideways, so 25 I'm trying to figure out how to -- other than	04:38:05	13 Do you see that?	
Page 195		14 A. From Joni to Ted, and then some other	
		15 folks -- yes, I do.	04:40:00
		16 Q. And further down, you're on a few of	
		17 these emails between the folks at Sonos, and it's	
		18 discussing a play to Sonos collaboration with	
		19 Spotify, right?	
		20 A. I'm going to have to read this -- so give	04:40:16
		21 me one minute here.	
		22 Q. Sure.	
		23 A. I have to pay for a seven-day trial to	
		24 rotate a page in Acrobat now?	
		25 Okay. I got it.	04:41:16
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